TUBLISHED EVERY THURSDAY MORNING,

Political.

SPEECH OF HON. HENRY CLAY, Delivered in the United States Senate,

Tuesday, Policiney 5, 1850, on his reso-

The resolutions having been read, Mr. y proceeded to address the Senate as

be the part it was that as regarded the possible in was that as regarded the possible. It is a substantive, actual existing possible. It is a substantive, actual exist. And what are they? That is impossible. It is a substantive, actual exist. And where does it is a substantive, actual exist. It is a substantive, actual exist. And where does it is a substantive, actual exist. And where does it is a substantive, actual exist. It is a substantive, actual exist. And where does it is a substantive, actual exist. And where does it is a substantive, actual exist. And where does it is a substantive, actual exist. And where does it is a substantive, actual exist. And where does it is a substantive, actual exist. And where does it is a substan That was the sole question that prevented the two classes of the States, that ad-territories so acquired from Mexico.

through in this short mortal existence of you will find upon that careful, rational and prohibition, an interdiction, as to the introours Hight years ago, sir, I took my leave attentive examination of them which I think duction of slavery within them. But with finally, and-as I supposed-forever of this they deserve, that by some of them, neither regard to those opinions, I had hoped, and and if my private wishes and particular are mutual. inclinations, and the desire during the short to which I have referred; and if there be any in my bearing now-if there be in or out of this Capitol any one who is using his efforts for honor, and for elevation-for higher honor, for higher levation, than that that I at least will never justle him in the pursuit of these honors or that elevation .-I beg him to be persuaded that, if my wishto prevail, my name shall never be used in

threatened with total submersion.

own chamber; and from the beginning of the session up to this time, my thoughts been a xiously directed to the object verse to the wishes of the southern States.

The associated a state of the flavor of the state of the session up to this time, my thoughts been a xiously directed to the object verse to the wishes of the southern States.

The association a state of the presence of the nations of the carriers of the presence of the nations of the carriers of the presence of the nations of the carriers of the state of the state of the presence of the nations of the carriers of the carri

remnant of my days to remain to repose holding States, there are resolutions making declarations—the form of a positive enactnever have seen n e, sir, occupying the seat site States, without any compensation what-shed with the simple expression of the opini-The leg- ever being rendered by them to the non- on of Congress, leaving it upon the basis of

represent mean in this seision; and I have listics which I have assigned to the measures ble-for any subsequent enactments to be come here in obedience to a sense of stern which I propose is susceptible of clear, sat- introduced into the bill by which Territoduty, with no personal objects—no private isfactory demonstration, by an attentive period Governments shall be established. I can rusal now or hereafter to gratify. I know, rusal and critical examination of the resolution only say that that second resolution, even

> you are aware, sir, relates to California; proposing a scheme of arrangement and and it declares that California, with suita-compromise; and I could not, therefore, ble limits, ought to be admitted as a mem-depart from the duty which the preparber of this Union, without the imposition paration of the scheme seemed to me to imof any restriction, either to interdict or to pose, while we ask upon the one side a surintroduce slavery within her limits. Now, render of their favorite measure, of offering sir, is there any concession in this resolu- upon the other side some compensation for tion by either party to the other? I know that gentlemen who come from the slavenholding states, as that the principle of that gentlemen who come from the slavenholding states, as that the principle of that gentlemen who come from the slavenholding states, as that the principle of that gentlemen who come from the slavenholding states, as that the principle of slavery which prevails in the other class of its character, and into the possible extent to slavery which prevails in the other class of its character, and into the possible extent to slavery which prevails in the other class of its character, and into the possible extent to slavery which prevails in the termitories class of its character, and into the possible extent to slavery which prevails in the termitories cond tha

Walthman & State Journal. this earth, is closed, and closed, if my wish done by Congress, by this government !— are connected with the subject that I am | conclusion than that which I understand to | honorable senator, though I entertain the | I know, sir, that it is argued that there is not less prevail, forever. | No., sir, the interdiction is imposed by Calloud respect for the opinion which grant of less than the conclusion of the public law of the most profound respect for the opinion which grant of less than the conclusion of the public law of the most profound respect for the opinion which grant of less than the conclusion of the public law of the grant of less than the conclusion of the public law of the grant of less than the conclusion of the public law of the grant of less than the conclusion of the public law of the grant of less than the conclusion of the public law of the grant of less than the conclusion of the public law of the grant of less than the conclusion of the public law of the grant of less than the conclusion of the public law of the grant of less than the conclusion of the public law of the grant of less than the conclusion of the public law of the grant of less than the conclusion of the public law of the grant of less than the conclusion of the public law of the grant of less than the conclusion of t

Whate House itself is in danger of coulds—and when that power consists. The power consists. The power consists. The power consists. The power consists that to the expression of opinions than to a great principle, and you can scarcely turn tive, executive, and judicial—and when that power consists. The power consists. The power consists. The power consists the power consists that to the expression of opinions than to the expression of opinions than to the expression of point has been settled during a period of fifty treaty draws with it the power specified of all hands of all hands of all these various topics. Now, sir, not find it recognized. It there be a power to according to the power consists. bout who shall be its next occupant. When competent to Congress to impose any re- that slavery does not exest in the Territo- sion of the coded territories to this country, thing as fixed and settled under the admin- further upon this part of the subj threatens immulation and destruction to all came a member of the Union? We, who I can only refor, sir, to the fact of the past tered by that new sovereign power which around it, we are contesting and disputing were in favor of the admission of Missouri lutions for a compromise on the slavery about the profits of the estate which is contended that no such restriction could be

imposed. We contended that whenever she Mr. President, it is passion—party, party was once admitted into the Union, she had —and intemperance; that is all I dread in all the rights and privileges of any pre-exthe adjustment of the great questions which isting State of the Union; and that of these unhappily at this time divide our distracted rights and privileges, one was to decide for country. Sir, at this moment, we have in herself whether slavery should or should not the States, twenty odd furnaces in full blast much a right to decide upon the introducin making heat, and passion, and intemper- tion of slavery, or upon its abolition, as New ance, and diffusing them a roughout the York had a right to decide upon the introwhich extent of this broad land. Two duction of sharery; and that which we acquired those countries. All allow me to say that, in my humble judg-

the dear to them here below the Wilmost Proviso, ought to reflect that st their country at this crisis—to even if they could carry their object, and she, too, is exclusively the judge whether instrument; to adjust the subject of repthe voice of ranson, not as it shall ad pit the widnest Provise, it would coase the object, then local, municipal in Mexico, resentation, to impose taxes when a system recollect that when this constitution was be attempted to be attered by me, sir, for I the moment any State to whose territory it has or his not been abolished in conform adopted, that territory was unpeopled; and "The other truth, as I respectfully and with and not so presumptions as to include the was applicable came to be admitted as a ty with her fundamental law? Why, sir, the duty of surrendering, or causing to be how was it possible that Congress, to whom to be admitted as a ty with her fundamental law? Why, sir, the duty of surrendering to be how was it possible that Congress, to whom to be admitted as a ty with her fundamental law? Why, sir, no one Mexico, upon this subject, showed to the common benefit of admitted as a ty with her fundamental law? Why, sir, no one Mexico, upon this subject, showed to the common benefit of admitted as a ty with her fundamental law? Why, sir, no one Mexico, upon this subject, showed to the common benefit of admitted as a ty with her fundamental law? attention I have desired; but to listen contends now-no one believes-that with last moment her auxiety. In the docus cape from service which they owe in slave the ceding states and the other states of the be introduced into any of the o that own reason, their own judgment, regard to the northwesteren States, to which ments which were laid before the country states, and take refuge in free states. And, Union, had no power whatever to declare Well, sir, is not that the fact? Is there a mentargord sense, in determining what the ordinance of 1757 was applied -- Once, upon the subject of the negotiation of the sir, I am ready to say that if Congress were what description of settlers should occupy burse this body who doubts it? What has occupy is best to be done for our country in the action of same and this paster of the done for our country in the action of same and Michigan—no one tracty by Mr. Frist, you will find this paster of the public land? Suppose that Congress that Congress that Congress that Congress the public land? Suppose that Congress the land? Suppose that Congress the public land? Suppose that Congress the public land? Suppose that Congress the public land? Suppose that Congress the land? Suppo all the usual enjoyment the revenue from that source, that in the last three months, slavery has been excla-

Check this violence of party.

Sir, what vicinitides do we not pass pared fulfil that object. I believe, sir, that diexico, it would be a positive enactment, a

to insiet that we shall give-and indeed it i lature of the Stafe to which I belong, un-solicited by me, choose to designate me to

Sir, I think every one of these characterto me almost impracticable, if not impossier, the jealousne, tears, and apprehensions tions themselves. Let us take up the first, without the declaration of these two truths, would be more acceptable to me than with The first resolution, Mr. President, as them. But I could not forget that I was

olition of slavery, from the time of its ex-tinction down to the time of the treaty by But, sir, before I approach that sub

But, sir, it is impossible for us to be facts which are daily transpiring before us. It is impossible for us not to perceive that party spirit and future elevation. At a moment, sir, when the very! The great property of the discussion, of finiting myself rather to the expectations. At a moment, sir, when the very! The great property is in discussion of the public law of the conclusion of the public law of such these various topics. Now, sir, not find it recognized. The laws of Mexiwith respect to the opinion here asserted, co, as they existed at the moment of the cestil recently, I think if we are to regard any
think, therefore, sir, without at present awelling ries, ceded to the United States by Mexico, became their laws still, unless they were alsage of a law by the supreme government this people and these territories came under of Mexico abolishing it, I think, in the year in consequence of the treaty of cession to 1824, and the subsequent passage of a leg-the United States. I think then, sir, with-earth is settled under this constitution body of Mexico-I forget in what out trespassing further, or exhausting the that every thing is unsettled? year-by which they propose-what, it is little strongth I have, and for which I shall true, they never yet carried into full effect have ample occasion in the progress of the -a compensation to the owners of slaves argument-that I may leave that part of the for the property of which they were deprive subject with two or three observations only ed by the act of abolition. I can only re- upon the general power which, I think, apfor to the acquiesence of Mexico to the ab- pertains to this government upon the sub-

But, sir, before I approach that subject,

almost take the existence of slavery within hers.

Then, sir, if it this struggle of power and subject, I was told that if it were proposed the presence of the earth, te
more advantageous than its exclusion, one cannot against its introduction -a vote, as I turn that first resolution, according to was consided to say, with perfect security, every instrument which God or instance has which the observation which I made some time that although their impressions respecting placed in our lands, to resist such an atmand course for pasts the action, the government; and it no difference between my individual views of the earth the spectacle of one portion of not to dominance in, harm it has been decided, it has been decided by and scattments on slavery, considered in it-this Union embracoring to subvert an instireject, authors exposing a different sole, of a different power, by

cook without exception tenfold in value, and, in addition to that, should be placed in hostile positions towards made by some two or three hundred per- prehead the introduction of slavery there? covered a foot tanck all over with pure gold, each other, in order to carry slavery into sons from New England. Cincionati was aid not know much in relation to the country of and the contribution of the probability of the prob a market of the strong field to which it has strong field to which it has strong from the country, that it was forced upon us against at an annihilated power? That is im- hought to which it has strong from the country, that it was forced upon us against at an annihilated power? That is im- hought to which it has strong from the country, that it was forced upon us against at an annihilated power? That is im-

States spread itself over the acquired from Mexico. Now, that if you had lad the regions of this time election of that officer for about the period of a week. I make no reproaches, and for the flower of the flowe States spread itself over the acquired coun- well as to the prohibition of slavery in the slavery; in fifteen, slavery did not exist .- ment has no right to attack the institution How can it be argued that the fifteen slave within the states; but whether she has and States, by the operation of the constitution to what extent she has or has not, the right of the United States, carried into the ceded to attack slavery outside of the states, is a country their institution of slavery, any question debateable, upon which most men body. At that time I did not conceive of party makes any concession of principle at still indulge in the hope, that those who re- more than it can be argued upon the other may honorably and fairly differ; and howthe possibility of being again returned to it all, in others the concessions of forbestance present one free States will be inclined not side, that by the operation of the same con- ever it may be decided, furnishes I trust, no stitution, the fifteen free States carried into just occasion for breaking up this glorious

In the next place, in respect to the slave-would be extremely difficult to give to these the ceded Territories the principle of free-dom, which they, from policy, have chosen I am not going to take up that part of and quiet, could have prevailed, you would concessions to them by the class of opportment. I had hoped that they would be sat- to adopt within their limits? Let me sup- the subject which relates to the power of pose a case, sir. Let me imagine that Mex- Congress to legislate. I shall have occaco had never abolished slavery there at all, sion to make some observations upon that Let me suppose that it was existing there, subject in the course of my remarks, wheth-by virtue of law, from the shares of the Pa-er in the District of Columbia, or in the cinc to those of North Mexico, at the mo-territories; but I must say in a few words ment of the cession of those countries to that I think these two sources of power, us by the treaty in question. With what either of which is sufficient, in my opinion, patience would gentlemen, coming from the to authorize the exercise of the power, eithslaveholding States, listen to an argument or to introduce or keep out slavery, outside which should be urged by the free States, of the states and within the territories, exist. that notwithstanding the existence of slavery Mr. President I shall not take up time, of within those territories, the constitution of which so much has been consumed already, the United States, the moment it operato show that the clause which gives to Conted upon and took effect within the ceded gress the power to make all needful rules territories, abolished slavery and made them and regulations respecting the territory and free! Well, is there not just as much other property of the United States, conground to contend this, where a moiety of the veys the power to legislate for the territostates are free, and the other moiety are ries. I cannot concur with my worth slaveholding states, as that the principle of friend—and I use the term in its best and slavery which prevails in the other class of most emphatic sense—my friend from Mich-

istration of this constitution of ours, it is the two sources of authority in Congress to the question which has been thus invariably which I have referred may be traced the power and uniformly settled. Or, sir, are we to of the government of the United States to act conclude that nothing—nothing upon upon the Territories in general.

likely-that when that constitution was ding, the power must also exist of introducing formed, the application of it to such terri-teries as Louisiana, Florida, California and But, sir, I have been drawn off so far from the New Mexico, was never within the contemplation of the framers of that instrument.—

In order, therefore, that we may come back un-It will be reccollected that when that con-struction was formed, the whole country it: months ago, sir, all was calm in comparison she stood among her peers equal, and invess Mexico, so far as I know, acquiesced in the ment, the institution of slavery presents two northwest of the Ohio was unpeopled; and Besolved, That as slavery does not exist by with the present moment. All now is upted with all the privileges that any one of
tran, confusion, menace to the existence of
the Luon and to the happiness and salety
of the people. I implie Senators—Lenof the people of Mexico, so far as I know, acquiesced to the institution of slavery presents two
it must be recollected, also, that the exerit means the Como was unpeopled; and
it must be recollected, also, that the exerit means the Como was unpeopled; and
it must be recollected, also, that the exerit must be recollected, also, that the exerit was all the privileges that any one of
the original division of the states, and it means the remove a policy of the control of the power temperature of the power temperature to the control of the power temperature of the power temperature to the control of the states, and those subsequence of slavery. Gentlemen, I am questions totally distinct, and resting upon
it must be recollected, also, that the exerit de original distinct of the states, and it most be retrolled and in the tribute of the control of the cont

of the United States. The government of the United States. The government of the United States then acquired all the territory and all the sovereignty over that territory which Mexico held in California and New Mexico prior to the cession of these Territories. Sir, dispute that who can.—
The power exists, or it does not exist. No one will contend for its annihilation. It ex-isted in Mexico. No one, I think, can de-iny that Mexico alienated her sovereignty over the territory to the government of the which Mexico possessed over those Territo-ries; and the government of the United States can do with reference to them—— We will act upon this set of facts that were un-territory to our constituents, and appeal to their within, I admit, tertum limits of the Constitution—whateverMexico could have done.

There are prohibitions upon the power of Congress within the constitution, which prohibitions are constitution, which is nothing extravagant in the hope which I indulgate the constitution. prohibitions, I admit, must apply to Congress whenever it legislates, whether for the old States or the new Territories; but with-inglit content itself even with striking out these two declarations. They are unnecessare for

earth is settled under this constitution, and And, sir, I come now to the question of the extent of the power. I think it is a power adeat every thing is unsettled?

Mr. President, we are to recollect that it admit the argument in both its forms of applicais very possible-that indeed, it is quite noc. I admit that, it the power exists of exclu-

tion of stayery in any territory parted with Then, I thus would be furnished a case it by her. Our conversation on this topic was under the consideration of the factor of the more effective upon their mode, as I the major is or security of man, to employ every instrument which I have mentioned, that slavery is igne importance to the country; it would bould up towns and villages; and in fine we may suppose that Congress might think that a recent amount of flavours and the country is the classion, which I have mentioned, that slavery is not likely to be introduced there.

Well, sir, if it be true that by law slavery that a recent amount of flavours and think of the country is the classion, which I have mentioned, that slavery is not likely to be introduced there. and a constant party concedes; the practical fact of slavery, as it existed according to the part of this government.—

In the practical fact of slavery, as it existed according to the part of this government.—

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In the part of this government.—

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pacts (se along the pacts) and it has been decided by a difference between my individual views of the earth the speciacle of one portion of the first large majority and it has been decided by a different self, of a different power, by Chiffman bees it, who had a right to make that decided by assuring than that the bare that decided by assuring than that the bare measured that decided by assuring than that the bare measured that decided to make that decided to make a stress about 1 are affected, I begin entered from the waste lands by the introduced from the following the first lands are decided by assuring the introduced from the introduced from the first lands are decided of alteration or improved in stress man of the control of the cont perfectly a care, of the perseverance with any such treaty to the Senate; and that if Par different, I fear, would be our case, the Northwest Territory. My friend now of your States was gotton up-when the Wilriserry a care, of the perseverance with any such freshy to the Senate; and that if Par different, I lear, would be our case, the Northwest Persuso was measured up it were in time power to offer one the whole if unhappily, we should be led into war, into before me, Mr. Corwin, will correct me at did you not fear, whatever may have been the ow territories acquired from Mexico. Mr the next, and was settled by a handful of its inhabitants. They were far distant from you

Over the territory to the government of the United States. The government of the U. States, therefore, possesses all the powers another set of facts, while we have another set of facts before us; and we will act

oid States or the new Terratories; but within the scope of those prohibitions, the powers of Congress are coextensive and coequal
with the powers of Mexico prior to the cession.

Sir, with regard to this treaty-making power,
all who have had any occasion to examine into
its character, and into the possible extent to
which it tous he carried know that it is minute.